

REMARKS

Upon further review of the claims as submitted in the Amendment After Final Rejection filed May 3, 2004, applicants are further amending the claims to recite that the microorganism has resistance to 150 mg/l primaquine "or" the alkali metal salts thereof. It is respectfully submitted that this amendment to the specification is clearly appropriate under 37 CFR 1.116 in light of previously considered claim 1 reciting resistance to 150 mg/l aminoquinoline derivatives selected from the group consisting of, inter alia, primaquine and the alkali metal salts thereof.

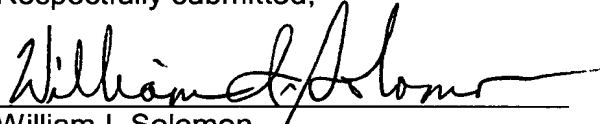
Clearly, this further amendment to claim 1 is supported by applicants' original specification, e.g., note aspect (2) on page 3 of applicants' original disclosure. See also the sole full paragraph on page 5 of applicants' specification.

Furthermore, noting that the sole basis for rejection of claims in the Office Action mailed November 3, 2003, is under the first paragraph of 35 USC 112, and again noting the above-referred to portions of applicants' specification describing the aminoquinoline derivative, it is respectfully submitted that the present amendments, together with the amendments in the Amendment filed May 3, 2004, clearly materially limit any issues remaining in connection with the above-identified application and, at the very least, present the claims in better form for appeal; and moreover, do not raise any new issues, including any issue of new matter. In this regard, attention is respectfully directed to the paragraph bridging pages 7 and 8 of the Amendment filed May 3, 2004, particularly, reference in the last two lines of this paragraph referring to resistance to 150 mg/l primaquine "or" the alkali metal salts thereof.

In view of the foregoing, and in view of the comments and amendments in the Amendment filed May 3, 2004, entry of the present amendments and the amendments in the Amendment filed May 3, 2004, and reconsideration and allowance of all claims presently in the application, are respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (referencing case no. 506.39084X00).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William I. Solomon", written over a horizontal line.

William I. Solomon

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